

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gregory H. Lambrecht et al.
For: Cardiac Valve Procedure Methods And Devices
Attorney's Docket No.: VIA-3

Date:

BOX PCT
Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

FILING OF PATENT APPLICATION UNDER 37 CFR 1.10

The attached patent application is being filed under the provisions of 37 CFR 1.10.

Applicants hereby claim priority benefits under Title 35, United States Code, Section 119, of PCT Patent Application No. PCT/US00/02126, filed 27 January 2000, and U.S. Patent Applications Nos. 60/177,599, filed 27 January 1999; 60/152,135, filed 25 August 1999; and 60/161,934, filed 28 October 1999, in the United States.

Applicants' attorney is also submitting the requisite fee as calculated on the attached transmittal letter.

"EXPRESS MAIL" MAILING LABEL NUMBER EK830404252US

DATE OF DEPOSIT November 09, 2000

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

James A. Sheridan

(PERSON MAILING)

James A. Sheridan 11/09/00
(SIGNATURE)

Respectfully submitted,

James A. Sheridan 11/09/00

James A. Sheridan
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(781) 290-0060

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Washington, D.C. 20231

Sir:

SUBMISSION OF PATENT APPLICATION TO ENTER
THE NATIONAL STAGE UNDER 35 U.S.C. 371

The attached International Application No. PCT/US00/02126 is being submitted to enter the United States national stage under the provisions of 35 U.S.C. 371.

In addition, Applicants are submitting the following materials:

- (1) a Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371;
- (2) a Filing Of Patent Application Under 37 CFR 1.10, including a claim for priority benefits under Title 35, United States Code, Section 119, of PCT Patent Application No. PCT/US00/02126, filed 27 January 2000, and U.S. Patent Applications Nos. 60,177,599, filed 27 January 1999; 60/152,135, filed 25 August 1999; and 60/161,934, filed 28 October 1999;
- (3) a Declaration and Power of Attorney;
- (4) a Small Business Entity Verified Statement;
- (5) an Assignment, together with a Recordation Form Cover Sheet;
- (6) a copy of the International application as filed;
- (7) a copy of the formal drawings;
- (8) a copy of the original PCT request;

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(9) a copy of the International Search Report prepared by the United States Patent Office;

(10) a Preliminary Amendment;

(11) an Information Disclosure Statement, together with Form PTO-1449 (one page) and copies of the cited references; and

(12) a check in the amount of \$1421.00 in payment of the application fees.

Please direct all communications in this matter to the undersigned attorney.

Thank you.

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JAMES A. SHERIDAN
(PERSON MAILING)

James A. Sheridan 11/09/00
(SIGNATURE)

Respectfully submitted,

James A. Sheridan 11/09/2000

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FORM PTÖ-1390 (REV 12-29-99)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER VIA-3	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	
INTERNATIONAL APPLICATION NO. PCT/US00/02126		INTERNATIONAL FILING DATE 27 January 2000		PRIORITY DATE CLAIMED 27 January 1999	
TITLE OF INVENTION Cardiac Valve Procedure Methods And Devices					
APPLICANT(S) FOR DO/EO/US Gregory H. Lambrecht et al.					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 					
Items 11. to 16. below concern document(s) or information included:					
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input type="checkbox"/> Other items or information: 					

U.S. APPLICATION NO. (if known, see 37 CFR 1.3)		INTERNATIONAL APPLICATION NO. PCT/US00/02126		ATTORNEY'S DOCKET NUMBER VIA-3	
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 690.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	49 - 20 =	29	X \$18.00	\$ 522.00	
Independent claims	31 - 3 =	28	X \$80.00	\$ 2240.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 3452.00	
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$ 1726.00	
SUBTOTAL =				\$ 1726.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1726.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 1766.00	
				Amount to be:	
				refunded \$	
				charged \$	
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1421.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>16-0221</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: James A. Sheridan Pandiscio & Pandiscio 470 Totten Pond Road Waltham, MA 02451-1914					
				SIGNATURE: <u>James A. Sheridan 11/09/00</u> James A. Sheridan NAME 43,114 REGISTRATION NUMBER	

PCT/US00/02126

INTERNATIONAL APPLICATION AS FILED

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